

Please type a plus sign (+) inside this box Approved for use through 10/31/2002. OMB 0651-0032
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages **33**] (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets **39**]
5. Oath or Declaration [Total Pages **4**]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)of prior application No.: **10 /014,004**

Prior application information:

Examiner **Scott Smith**Group / Art Unit: **3721**

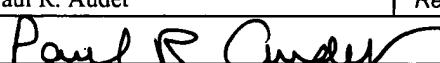
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label XXXXXXXXXX or Correspondence address below

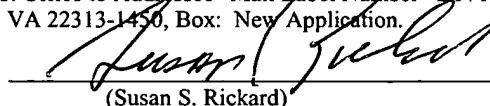
(Enter Customer No. or attach bar code label here)

Name	Paul R. Audet				
Address	United States Surgical, a Division of Tyco Healthcare Group LP 150 Glover Avenue				
City	Norwalk	State	Connecticut	Zip Code	06856
Country	U.S.	Telephone	(203) 845-1480	Fax	(203) 845-4266

Name (Print/Type)	Paul R. Audet	Registration No. (Attorney/Agent)	26,439
Signature			Date 11/03/03

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number **ET710029918 US** addressed to: U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, Box: New Application.

Dated: **11/3/03**


(Susan S. Rickard)

10/700250
110303

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 740.00)

Complete if Known

Application Number	To Be Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Keith L. Milliman et al
Examiner Name	Scott Smith
Group Art Unit	3721
Attorney Docket No.	1924DIV3CON2 (203-2145DIV3CON2)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 21-0550
Deposit Account Name United States Surgical

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee	Fee	Fee	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$740.00	
106	320	206	160	Design filing fee		
107	490	207	245	Plant filing fee		
108	710	208	355	Reissue filing fee		
114	150	214	75	Provisional filing fee		

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

Total Claims	8	-20** =	0	x	18	=	\$0
Independent Claims	1	- 3** =	0	x	\$84	=	\$0
Multiple Dependent					\$280	=	\$0

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee	Fee Description
103	18	203	9 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	270	204	135 Multiple dependent claim, if not paid
109	80	209	40 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

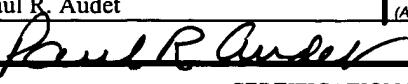
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	\$0
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	\$0
139	130	139	130 Non-English specification	\$0
147	2,520	147	2,520 For filing a request for ex parte reexamination	\$0
112	920*	112	920* Requesting publication of SIR prior to Examiner action	\$0
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	\$0
115	110	215	55 Extension for reply within first month	\$0
116	390	216	195 Extension for reply within second month	\$0
117	890	217	445 Extension for reply within third month	\$0
118	1,390	218	695 Extension for reply within fourth month	\$0
128	1,890	228	945 Extension for reply within fifth month	\$0
119	310	219	155 Notice of Appeal	\$0
120	310	220	155 Filing a brief in support of an appeal	\$0
121	270	221	135 Request for oral hearing	\$0
138	1,510	138	1,510 Petition to institute a public use proceeding	\$0
140	110	240	55 Petition to revive - unavoidable	\$0
141	1,240	241	620 Petition to revive - unintentional	\$0
142	1,240	242	620 Utility issue fee (or reissue)	\$0
143	440	243	220 Design issue fee	\$0
144	600	244	300 Plant issue fee	\$0
122	130	122	130 Petitions to the Commissioner	\$0
123	50	123	50 Petitions related to provisional applications	\$0
126	240	126	240 Submission of Information Disclosure Stmt	\$0
581	40	581	40 Recording each patent assignment per property (times number of properties)	\$0
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))	\$0
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))	\$0
179	710	279	355 Request for Continued Examination (RCE)	\$0
169	900	169	900 Request for expedited examination of a design application	\$0
Other fee (specify) 0				\$0

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Paul R. Audet	Registration No. (Attorney/Agent)	26,439	Telephone	(203) 845-1480
Signature				Date	11/03/03

CERTIFICATION UNDER 37 C.F.R. § 1.10

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Dated: 11/3/03



(Susan S. Rickard)

Docket No. **1924DIV3CON**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Keith L. Milliman, et al**
Serial No.: **To Be Assigned** Filed: **Concurrently Herewith**
Examiner: **Scott Smith** Group: **3721**
For: **SURGICAL STAPLING APPARATUS**

U.S. Patent & Trademark Office
PO Box 1450
Alexandria, VA 22313-1450
MailStop PATENT APPLICATION

CERTIFICATE OF EXPRESS MAILING

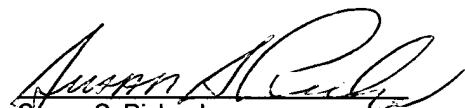
"Express Mail" Mailing Label No.: **ET 710029918US**

Date of Deposit: **November 3, 2003**

I hereby certify that the following:

- This Certificate of Mailing
- Application Transmittal Letter (1 page)
- Fee Transmittal for FY 2001 (1 page)
- Application (31pages including specification, claims and abstract)
- 39 sheets of drawings (formal)
- Copy of Combined Declaration and Power of Attorney (4 pages)
- Copy of Revocation and Power of Attorney (2 pages)
- Return Postcard

are being deposited with the United States Postal Services under 37 CFR Section 1/10 on the Date of Deposit indicated above in an envelope as "Express Mail Post Office to Addressee" Mail Label Number ET710029918 US addressed to the U.S. Patent & Trademark Office, PO Box 1450, Alexandria, VA 22202-1450, Mail Stop PATENT APPLICATION.



Susan S. Rickard

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